

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. : 6,573,099 C1 Serial No.: 09/100,812
Issue Date : June 3, 2003 Filed : June 19, 1998

Reexamination
Certificate No.: 8071st

Reexamination
Certificate
Issued : March 8, 2011

Inventors : Michael Wayne Graham, Peter Michael Waterhouse, and Robert Norman Rice

Patent Owner : Commonwealth Scientific and Industrial
Research Organisation

Conf. No. : 8963

For : GENETIC CONSTRUCTS FOR DELAYING OR REPRESSING
THE EXPRESSION OF A TARGET GENE

30 Rockefeller Plaza
20th Floor
New York, New York 10112
April 29, 2011

By EFS Web

Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

PETITION UNDER 37 C.F.R. §1.324 TO CORRECT INVENTORSHIP AND
REQUEST FOR A CERTIFICATE OF CORRECTION

Patent Owner respectfully requests that the inventorship listed on the above-identified Patent and Reexamination Certificate be corrected. Specifically, Patent Owner petitions that Peter Michael Waterhouse be added as an inventor on the subject patent.

Inventors : Michael Wayne Graham, Peter Michael
Waterhouse and Robert Norman Rice
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Inventorship

A Petition under 37 C.F.R. §1.324 requires compliance with the following provisions of 37 C.F.R. §1.324(b):

- (1) a statement from each person who is being added as inventor that the inventorship error occurred without any deceptive intention on his or her part;
- (2) a statement from the current named inventors who have not submitted a statement under paragraph (b)(1) either agreeing to the change of inventorship or stating that they have no disagreement in regard to the requested change;
- (3) a statement from all assignees of the parties submitting a statement under paragraphs (b)(1) and (b)(2) agreeing to the change of inventorship in the patent, which statement must comply with the requirements of §3.73(b); and
- (4) the fee set forth in §1.20(b).

In compliance with 37 C.F.R. §1.324(b)(1), Patent Owner attaches as **Exhibit A** a Statement of Peter Michael Waterhouse Under 37 C.F.R. 1.324(b)(1).

In compliance with 37 C.F.R. §1.324(b)(2), Patent Owner attaches as **Exhibits B** and **C**, respectively, a Statement of Michael Wayne Graham Under 37 C.F.R. §1.324(b)(2) and a Statement of Robert Norman Rice Under 37 C.F.R. §1.324(b)(2).

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Michael Wayne Graham and Robert Norman Rice are the currently listed inventors of the above-identified patent. Michael Wayne Graham was listed as an inventor upon filing of the subject application. Robert Norman Rice was added as an inventor by a Petition Under 37 C.F.R. §1.324 filed July 10, 2003. A Decision granting the Petition was issued September 16, 2003. Patent Owner attaches copies of the Petition and the Decision as **Exhibits D and E**, respectively. However, a Certificate of Correction was not previously issued listing Michael Wayne Graham and Robert Norman Rice as inventors of the subject patent.

In compliance with 37 C.F.R. §1.324(b)(3), Patent Owner attaches as **Exhibit F** a statement of Consent Of Assignee Under 37 C.F.R. §3.73. Commonwealth Scientific and Industrial Research Organisation is the current assignee of the entire right, title, and interest in and to the subject Patent. An Assignment of the entire right, title, and interest, in and to the subject patent from the inventor being added, Peter Michael Waterhouse, to Commonwealth Scientific and Industrial Research Organisation is being submitted for recordation concurrently herewith. A copy of the Assignment is attached hereto as **Exhibit G**.

The fee set forth in 37 C.F.R. §1.20(b) is one hundred thirty dollars (\$130.00), and the Commissioner is hereby authorized to charge the amount of this fee to Deposit Account No. 03-3125.

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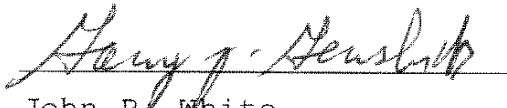
Accordingly, this Petition is in compliance with 37 C.F.R.
§1.324 as each of the requirements of 37 C.F.R. §1.324(b) have
been met.

Patent Owner respectfully requests that this Petition be
granted.


Upon grant of this Petition, Patent Owner hereby respectfully
requests that a Certificate of Correction be issued to list
**Michael Wayne Graham, Peter Michael Waterhouse, and Robert
Norman Rice** as the inventors on the above-identified patent.
Patent Owner attaches as **Exhibit H** a completed Form PTO/SB/44
which indicates the addition of Peter Michael Waterhouse and
Robert Norman Rice as inventors of the subject patent.

No fee, other than the \$130.00 petition fee, is deemed
necessary in connection with the filing of this Petition.
However, if any additional fee is required, authorization is
hereby given to charge the amount of such fee to Deposit
Account 03-3125.

Respectfully submitted,



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Gary J. Gershik
Registration No. 39,992
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Certificate of Transmission	
I hereby certify that this correspondence is being transmitted via the Electronic Filing System (EFS) to the U.S. Patent and Trademark Office on April 29, 2011.	
 Adam C. Krol Reg. No. 64,351	<u>4/29/11</u> Date